

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

PATRICIA COHEN,

Plaintiff,

v.

STEVEN COHEN, DONALD COHEN, BRETT  
LURIE, et al.

Defendants.

Hon. William H. Pauley, III

Case No. 09 CV 10230

**AFFIDAVIT OF HOWARD W.  
FOSTER IN SUPPORT OF  
MOTION TO WITHDRAW  
APPEARANCES**

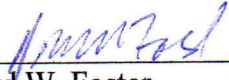
STATE OF NEW YORK

COUNTY OF NEW YORK

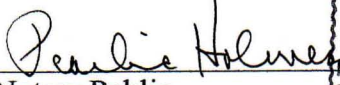
HOWARD FOSTER, being duly sworn, deposes and says:

1. This Affidavit is being submitted in connection with the Motion to Withdraw, and in accordance with S.D.L.R. 1.4.
2. Plaintiff Patricia Cohen ("Patricia") retained me and my associate, Matthew Galin, to represent her in this matter on or about June 2010.
3. I was lead counsel in this matter. I was primarily responsible for drafting the Second Amended Complaint, responding to the Motion to Dismiss in the district court (with oral argument), and handling the appeal in the Second Circuit Court of Appeals (also with oral argument).
4. After the decision in Second Circuit was rendered, Patricia and I reached the mutual decision that my firm should withdraw from representing her in this case going forward.
5. I understand that Patricia will retain new counsel within thirty days.

6. A copy of this Motion, as well the Court's Order from May 9, 2013, was served on Patricia by email on May 10, 2013.

  
Howard W. Foster

Sworn to before me  
This 13<sup>th</sup> day of May, 2013

  
Notary Public

